

**\*OGC Has Reviewed\***

APR 8 1954

General Counsel

Chief of Logistics

**Operation of Agency Buses in the Departmental Area During  
Other Than Normal Working Hours**

1. It has been the practice in this Agency for several years to operate shuttle buses for the purpose of transporting employees of this Agency between Agency buildings and to and from the Pentagon. The bus operation is a scheduled one over fixed routes.

2. At the present time, as for several years in the past, the scheduled bus operation starts at 0800 hours and continues throughout the day, according to schedule, until 1730 hours, Monday through Friday. It has been found necessary to put on an extra bus to handle the peak loads of passengers during the periods of 0800 to approximately 0845, and 1700 to approximately 1730. A total of six buses are operated during these periods. Throughout the rest of each day, five buses are operated. From a review of operating records on file in this office, and from personal observation of representatives of this office, it is clear that the peak passenger loads in the mornings and evenings are generated as a result of employees riding from parking lots, commercial bus stops and other points to and from their place of employment. Since drivers must be brought on to operate the buses during other than normal working hours (0830 to 1700), a considerable amount of overtime is involved in providing this service. The enclosure reflects the initial time and point of origin, final destination, time before returning to the garage, and daily overtime. The factual reasons for the extra and early and late scheduled buses are not known to this office, but apparently the reasons are for the primary purpose of transporting employees a part of the way from their residence or parking area to their office, or vice versa.

3. Section 16 (a) of Public Law 600, 79th Congress, amends Section 5 of the Act of July 16, 1914 (5 USC 78). It is pointed out that this amendment provides that "unless otherwise specifically provided, no appropriation available for any department shall be expended--for the maintenance, operation, and repair of any government-owned passenger motor vehicle, or air craft not used exclusively for official purposes." It also provides that "any officer or employee of the Government who wilfully uses, or authorizes the use of, any Government-owned passenger motor vehicle or air craft, or of any passenger motor vehicle or air craft leased by the Government for other than official purposes,

4 1244

or otherwise violates the provisions of this paragraph, shall be suspended from duty by the head of the department concerned without compensation for not less than one month and shall be suspended for a longer period, or summarily removed from office, if circumstances warrant."

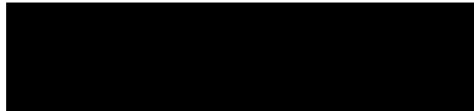
25X1A

4. Paragraph 3 a of [REDACTED], Local Transportation (Departmental), dated 6 January 1954, states that vehicles will be used exclusively for official purposes; paragraph 3 b points out the penalties prescribed in Public Law 600 for violations by government employees who use or authorize the use for other than official purposes; and paragraph 3 c states the Chief of Logistics is responsible for reporting apparent violations.

5. Comptroller General Decision B-66287, Volume 27, pages 1, 2, 3 and 4, states that the furnishing of transportation facilities to employees from their place of residence to the place of their employment is considered a personal expense of the employees and is not permitted to be paid from appropriated funds unless provided for in the appropriation, either expressly or by necessary implication.

6. In view of the information included above, it is requested that this office be provided with information at the earliest practicable date indicating whether it is legal to operate the scheduled buses during other than normal working hours.

25X1A9a



Enclosure:

"Shuttle Bus Operation"

cc: Comptroller

LO/TD/P&C/JEC:eim (26 Mar. '54)

DISTRIBUTION:

Orig. & 1 - Addressee  
1 - Signer's copy  
1 - Official File  
1 - TD